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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	CV 10-01875 GAF (Ex)	Date	April 1, 2010
Title	Demond Thompson v. Sunstate Equipment Co et al		

Present: The Honorable	<b>GARY ALLEN FEESS</b>	
Renee Fisher	None	N/A
Deputy Clerk	Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:	
None	None	

**Proceedings:** (In Chambers)

**REMAND ORDER**

Plaintiff filed the present lawsuit in Los Angeles County Superior Court on March 19, 2009. (Not., Ex. 1.) On March 16, 2010, Defendant Sunstate Equipment Co., LLC (“Sunstate”) received a settlement offer from Plaintiff that satisfied the amount in controversy requirement (Id. ¶ 4.), and thereafter removed the action to this Court, alleging subject matter jurisdiction pursuant to 28 U.S.C. § 1332. (Id. ¶ 6.)

Section 1332 confers federal courts with jurisdiction over “all civil actions where the matter in controversy exceeds ... \$75,000 ... and is between ... [c]itizens of different States.” 28 U.S.C. § 1332(a)(1). Sunstate asserts that the parties are diverse because Plaintiff is a “citizen of the State of California” and Sunstate is a “citizen of the State of Arizona.” (Not. ¶ 5.)

For the purposes of section 1332 diversity jurisdiction, however, “an LLC is a citizen of every state of which its owners/members are citizens.” Johnson v. Columbia Props. Anchorage, LP, 437 F. 3d 894, 899 (9th Cir. 2006). Sunstate has alleged that “each of its two members are citizens of the State of Arizona (Watts Holdings, an Arizona S Corporation with its principal place of business in Arizona, and Cynthia Watts, a citizen of the United States that is domiciled in California.)” (Id. (emphasis added).) Accordingly, under the rule of Johnson, Sunstate must be considered a citizen of Arizona, where Watts Holdings is incorporated and maintains its principal place of business, § 1332(c), and a citizen of California, where Cynthia Watts is domiciled.

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Because both Plaintiff and Sunstate are California citizens, the suit does not present a “controversy...between...[c]itizens of different States” and the removal notice does not state a basis for this Court’s jurisdiction under section 1332. Accordingly, the case is ordered **REMANDED** to the Los Angeles County Superior Court for all further proceedings.

**IT IS SO ORDERED.**